

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SEAN KING, individually and)
on behalf of all other)
similarly situated employees,) 8:04CV318
)
)
Plaintiffs,)
)
)
v.) MEMORANDUM AND ORDER
)
)
WEST CORPORATION,)
)
)
Defendant.

In response to the plaintiffs' motion to compel, defendant has stated that it will abandon its claim of work product respecting the withheld documents that are the subjects of the motion, and will produce the documents.

IT THEREFORE HEREBY IS ORDERED, the motion to compel and request for oral argument, filing 114, are denied as moot.

DATED this 7th day of October, 2005.

BY THE COURT:

s/ *David L. Piester*
David L. Piester
United States Magistrate Judge